

**106.09 MATERIAL SOURCES**

All materials that are incorporated into a project, whether temporary or permanent, must come from an approved source. Also refer to the Materials Manual and Quality Assurance Manual for additional guidance regarding material sources.

**I - Designated Sources**

A designated source is a material source that is listed in the contract by number and location. State owned or controlled sources which are designated sources are generally based on the following types of ownership or lease:

<b>Source</b>	<b>Instrument</b>
Department-Owned	Warranty Deed
Bureau of Land Management	U.S. Government Permit
Forest Service & Atomic Energy Commission	U.S. Government Permit
Bureau of Reclamation	License for Removing Road Building Materials
Bureau of Indian Affairs	Business Lease
State Land Board	Mineral Lease
Privately Owned	Materials Lease

The special provisions and materials source plat generally contain stipulations of a designated source. The Regional/Resident Engineer should:

1. Be familiar with the contract requirements to assure compliance with all stipulations and conditions.
2. Be familiar with the materials source plat to determine the source boundaries and designated areas of work.
3. Control the operation of the source to prevent material waste or theft, unsightly or hazardous conditions, and unnecessary handling of stripping or overburden on future projects.
4. Be aware that plans or specifications may not allow a contractor to request a change to use a contractor furnished source.

If a designated source is listed in the contract, and the contractor requests to use a contractor furnished source, the following requirement must be satisfied:

1. All requirements for contractor furnished sources shall be met.
2. Any special requirements in the use of the source upon which the approval is contingent will be listed on the source approval letter.
3. Considerations such as length of haul, differences in unit weight, asphalt content, additive requirements, etc. must be evaluated, and adjusted as necessary, to ensure there

is no additional cost to the State. Any resulting changes in plans or specifications will be by change order.

## **II - Contractor Furnished Sources**

A Contractor furnished source is a material source that is not a designated source. The Contractor is responsible for acquisitions of contractor furnished sources, and must submit a written request and receive written approval prior to use of such a source in accordance with the contract requirements. Time is of the essence in material source approval---especially where new and untested sources are concerned. The Contractor is responsible for providing all required documentation to the Regional/Resident Engineer to substantiate that the source meets all applicable contract requirements.

A. Qualified Aggregate Material Suppliers List: The Regional/Resident Engineer, with the concurrence of the District Materials Engineer, approves the use of sources included on the Qualified Aggregate Material Suppliers (QAMS) list for base, plant mix or concrete aggregates for a specific project. Sources that are either State owned or controlled are not on the QAMS list. The source approval letter prepared by the Regional/Resident Engineer will include the following:

1. A statement that approval is based on the current Qualified Aggregate Materials Suppliers list for base, plant mix or concrete aggregates.
2. Pit number and location (e.g. Ad-95c, Nelson Construction, Boise).
3. A list of the contract items which are approved to be obtained from the source.
4. A statement that approval shall result in no additional cost to the State, and that acceptance of products is based on being in compliance with all specifications.
5. A statement that the contractor will be responsible and provide for site specific hazard awareness testing.
6. A statement that approval is contingent upon the contractor signing and returning the letter indicating concurrence.
7. Distribution, including District Materials, Central Materials, and Construction Section.

See Exhibit 106.09-1 for an example.

B. Sources Previously Utilized But Not On The Qualified Aggregate Material Suppliers List: The District Engineer approves the use of previously utilized and newly submitted source documentation. Sources in this category may be either State owned or controlled, contractor owned or controlled or commercial. The Regional/Resident Engineer reviews and forwards the contractor's request to the District Materials Engineer. The District Materials Engineer verifies the documentation for contract requirements, and prepares the approval/disapproval letter for the District Engineer's signature. The letter will include item A.2 through A.6 above, plus the following :

1. Reference to laboratory test numbers.
2. Reference to reclamation plan.
3. Reference to source plat and legal description.
4. Reference to cultural resource clearance.
5. Reference to conditional or special use permit.
6. Reference to any additional clearances or permits required for wetlands or threatened or endangered species.
7. If applicable, requirements for material source release (see Section 106.09-V).
8. Special conditions or stipulations upon which the approval is contingent. For example, for State owned or controlled sources, stipulations may include designation of area to be worked, source reclamation requirements specific to the project, operational restriction or specified stockpile sites.
9. Royalty rates, if applicable.
10. Distribution, including Resident Engineer, District Materials, Central Materials and Construction Section.

See exhibit 106.09-2 for a Contractor source request example. See exhibit 106.09-03 for a source approval example.

C. Sources Not Previously Investigated: The District Engineer approves the use of sources not previously investigated. Sources in this category may be either State owned or controlled, contractor owned or controlled, or commercial. The contractor shall meet all contract requirements for a new source. Refer to Materials Manual Section 270.13 for complete source approval requirements. The Regional/Resident Engineer will forward the contractor's request with associated documentation to the District Materials Engineer for analysis. The independent laboratory is required by the contract to send all test reports directly to the Department. The test results are forwarded to the District Materials Engineer as well. The District Materials Engineer prepares the approval/disapproval letter for the District Engineer's signature. This letter will include items A.2 through A.6, and B.1 through B.10 above.

See exhibit 106.09-2 for a Contractor source request example. See exhibit 106.09-03 for a source approval example.

### III – Royalty Payments

Royalty payments are deducted from progress estimates to the Contractor when the source is either State owned or controlled. For State controlled sources, royalty payments are only required for those sources for which the State is required to pay royalties to the source owner. To prevent royalty payments to the source owner from being overlooked, the Resident Engineer, at the time of preparing the Contractor's voucher, should prepare a second voucher to the source owner for payment of the royalty. In place of the claimant's signature on the second voucher write: "per agreement with \_(property owner's name)\_."

#### IV. – Blend Sand

Blend sand, if approved for use in accordance with Section 703, must also come from an approved source. Naturally occurring blend sand is normally not approved when the specifications require rejecting natural fines.

In addition, for Section 405 Plant Mix, blend sand approval is contingent on meeting the mix design requirements at no additional cost.

#### V – Release of State Controlled Sources

A Materials Source Release (Exhibit 106.09-4) or letter of release is required on all State controlled sources other than those owned by the State or under a free-use permit from the Bureau of Land Management.

No release will be required on Bureau of Land Management sources secured by withdrawal. A release will be required if the source was secured by a free-use permit. A release is not usually required for a contractor furnished source, unless it is State controlled. The requirement for a source release will be stated as a stipulation in the source approval letter.

It is the Contractor's responsibility to obtain source releases. A final estimate will not be processed until the source release is signed by the owner and submitted to the State. It is good practice for the District Materials Engineer, Regional/Resident Engineer and Contractor to inspect the source for compliance prior to issuing the final estimate.

[Current Date]

Mr. or Ms. \_\_\_\_\_

RE: [Project Number]; [Key Number]

[Project Name]; Request for Approval to Use Contractor Furnished Source

Dear Mr. or Ms. \_\_\_\_\_:

In reference to your request letter dated, \_\_\_\_\_ to secure material from Source \_\_\_\_\_, owned by \_\_\_\_\_, located in the \_\_\_\_\_, you are hereby authorized to use this source for the following contract item(s):

Item Number	Item	Quantity
_____	_____	_____
_____	_____	_____

The approval to use this source is based on: Source \_\_\_\_\_ is on the District \_\_\_\_\_ Qualified Aggregate Materials Supplier List. It is understood that this source approval is granted upon the condition that the material used is within specifications requirements of this contract.

The Contractor will assume full responsibility for any and all claims, liabilities, and/or damages by reason of the removal of material from Source \_\_\_\_\_. The Contractor shall be responsible for and provide site specific hazard awareness training.

Any claim for additional payment will not be allowed, and it is further understood should material from Source \_\_\_\_\_ prove inadequate in quantity or unsuitable in quality, all expenses incurred to produce materials contracted for shall be borne by the Contractor. Any claim for additional payment for such expenses will not be allowed.

If \_\_\_\_\_ is in agreement with the above conditions, please sign below, and return the original to the Engineer. A copy is included for your records. Material from Source \_\_\_\_\_ is not approved for use on the project until the Engineer receives this signed agreement.

Sincerely,

Concurrence:

Resident/Regional Engineer

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Date

Distribution: District Materials; Central Materials; and Construction Section.

[Current Date]

Mr. or Ms. \_\_\_\_\_

Resident Engineer

P.O. Box 837

Lewiston, ID 83501

RE:[Project Number]; [Key Number]

[Project Name]; Request for Approval to Use Contractor Furnished Source

Dear Mr. or Ms. \_\_\_\_\_:

In accordance to Subsection 106.09, I am requesting to utilize Source \_\_\_\_ on the above referenced project. Below is the required Source information:

ITD Source Number:

Source Location

Source Owner

Approved Reclamation Plan (§107.17)  
Number:

Cultural Resource (§107.18)

Clearance Date:

Environmental Impact or Permit

Approval Date:

*If Applicable*

Source Plat Number and Date:

Laboratory Test Number(s):

I am requesting this source be approved for the production of the following items on this project:

Item Number	Item	Quantity
_____	_____	_____
_____	_____	_____

A copy of the test report(s) documenting that this source will produce material that meet the quality and design standards specified in this contract will be forwarded to you by our independent laboratory.

Sincerely,

CONTRACTOR

[Current Date]

Mr. or Ms. \_\_\_\_\_

RE: [Project Number]; [Key Number]

[Project Name]; Request for Approval to Use Contractor Furnished Source

Dear Mr. or Ms. \_\_\_\_\_:

In reference to your request letter dated, \_\_\_\_\_ to secure material from Source \_\_\_\_\_, owned by \_\_\_\_\_, located in the \_\_\_\_\_, as a contractor furnished source, has been approved for the following contract item(s):

Item Number	Item	Quantity
_____	_____	_____
_____	_____	_____

The approval to use this source is based on:

1. Laboratory test results \_\_\_\_\_ indicating material meets quality specifications.
2. Reclamation plan number \_\_\_\_\_ approval date \_\_\_\_\_.
3. Attached source plat dated \_\_\_\_\_.
4. Cultural resource clearance approval dated \_\_\_\_\_.
5. Conditional or special use permit dated \_\_\_\_\_ **(if applicable)**
6. The Contractor shall monitor all activities so there is no impact to wetlands or threatened or endangered species in accordance with permits \_\_\_\_\_. **(if applicable)**
7. A Materials Source Release (ITD-1121) is required for the use of this source. **(if applicable)**
8. The Contractor will assume full responsibility for any and all claims, liabilities, and/or damages by reason of the removal of material from \_\_\_\_\_. The Contractor shall be responsible for and provide site-specific hazard awareness training.
9. There will be no additional cost to the State beyond that otherwise allowed in the contract and acceptance of products is based on being in compliance with all specifications.
10. Material is available to the Contractor at a cost of \$\_\_\_\_\_ per cubic yard or \$\_\_\_\_\_ per ton, payable to the Idaho Transportation Department. All material removed from \_\_\_\_\_ shall be weighed in compliance with Section 109.01 of the ITD Standard Specifications. Concrete aggregate weights will be averaged for each cubic yard after production begins and royalties will be paid accordingly. **(if applicable)**
11. The attached source plat contains information regarding location, reclamation plan, clearances, and items 1-10 "OPERATION OF SOURCE" shall apply. A final inspection by District \_\_ Materials of source \_\_\_\_\_ is required. The Contractor at no cost to ITD shall complete reclamation work for areas disturbed and depleted on this project. **(Other stipulations and conditions if applicable)**

If \_\_\_\_\_ is in agreement with the above conditions, please sign below, and return the original to the Engineer. A copy is included for your records. Material from Source AD-111s is not approved for use on the project until the Engineer receives this signed agreement.

Sincerely,

Concurrence:

District Engineer

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Date

Distribution: Resident Engineer; District Materials; Central Materials; and Construction Section

ITD-1121 2-99



## MATERIALS SOURCE RELEASE

Project Location Rock Creek to Schmuckmeyer Rd.Project No. ST-1234 (567)Key No. 1234 Highway No. SH-13County Blaine

I/we, Elmer Snodgrass & Bertha Snodgrass, the undersigned, owner(s) of Materials Source No. Bl-81  
located in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$  of Section 20, Township 3N, Range 6W B. M., further  
described as follows: 2.9 miles west of Midvill, left of SH-13, M.P.-28

and under lease agreement dated July 4, 1998 with Acme Paving, Inc., Contractor,  
for use under Contract No. 1234, hereby acknowledge receipt of payment in full for materials taken to  
date and also acknowledge that all provisions of said lease agreement have been fully complied with.

Dated:

February 29, 1999

Signature(s) of Property Owner(s):

Elmer Snodgrass  
Bertha Snodgrass

Remarks:

20,000 Tons @ \$0.63/Ton Royalty.Total amount paid was twelve thousand and six hundred and no/100 dollars(\$12,600.00).

This form must be signed before the final claim will be paid.

Original to: Resident Engineer

Copy to: Property Owner(s)  
Contractor  
District Engineer  
Financial Services